

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 1-17, 19, and 21-33 are currently pending in this application. Claims 1, 19, and 21 are independent. The remaining claims depend, directly or indirectly, from independent claims 1 and 21.

Claim Amendments

Independent claims 1, 19, and 21 have been amended to recite that “at least one” MAC address is assigned to a decoder, and that the MAC address is assigned based on a type of service requested by the decoder, where the type of service is one selected from a multicast service, a connected unicast service, and a non-connected unicast service. Dependent claims have been amended to comply with the amended independent claims. No new subject matter is added by way of these amendments. Support for these amendments may be found, for example, on page 21 of the Specification.

Rejections under 35 U.S.C. § 103

Claims 1-7, 12, 17, 19, 21-25, 28, and 33 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,987,518 (“Gotwald”) in view of U.S. Patent No. 5,835,725 (“Chiang”). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

As described previously, the claimed invention relates to assigning addresses in a hybrid broadcast/telecommunication system that includes a central transmission station and a decoder that allows the broadcast system to include internet data. A MAC address request is sent from the decoder to the central transmission station. The MAC address request includes a fixed IP address used to identify the user of the digital broadcast system. Thus, the decoder is able to send the central transmission station an IP address, which is normally a unique network level address assigned by a network manager, to the central transmission station (*see Specification, page 20, line 32 to page 21, line 2*). Further, the MAC address request includes a type of service requested by the user (*i.e.*, unicast service, multicast service, or unicast non-connected service) (*see Specification, page 21, lines 8-10*). Thus, the MAC address assigned in the present invention is directly *dependent on the type of service* requested (*see Specification, page 21, lines 8-10*). Subsequently, the MAC address is assigned by the central transmission station based on the type of service requested by the user. Because the MAC address assigned to the decoder is dependent on a type of service requested, the MAC address is *not necessarily unique* (*e.g.*, the MAC address may be a shared MAC address if the type of service is a multicast service). Further, more than one MAC address may be assigned to a decoder.

To establish a *prima facie* case of obviousness "...the prior art reference (or references when combined) must teach or suggest all the claim limitations." (*See MPEP §2143.03*). Further, "all words in a claim must be considered in judging the patentability of that claim against the prior art." (*See MPEP §2143.03*). The Applicant respectfully asserts that the references, when combined, fail to teach or suggest all the claim limitations of amended independent claim 1.

In particular, the Examiner admits that Gotwald fails to disclose or suggest an encapsulated section includes a MAC address and dynamically assigning a MAC address by a central transmission station and communicated to a decoder (*see* Office Action mailed April 19, 2006, pages 2-3). It follows that Gotwald fails to disclose or suggest that assigning a MAC address is dependent on a type of service requested by the user. Further, Chiang fails to supply that which Gotwald lacks.

Chiang relates to an address resolution protocol technique for enabling an intermediate station of a heterogeneous network to dynamically assign an address to an end station (*see* Chiang, Abstract). The end station initiates the session by asking for a novel address assignment to the intermediate station. In response to the request by the end station, the intermediate station assigns the end station an address chosen from a pool of addresses allocated to the intermediate station (*see* Chiang, Figure 5 and accompanying text).

The amended independent claims recite “at least one” MAC address, indicating that more than one MAC address can be assigned to a decoder. Chiang fails to disclose or suggest assigning more than one MAC address to a decoder. Rather, the MAC address assigned to the end station is necessary unique in Chiang. In fact, Chiang specifically states that the end station asks for a novel address assignment and that if the MAC address is not unique, a new one is assigned from the pool of addresses (*see* Chiang, col. 9, ll. 40-44). However, the recitation of a multicast service type in the amended independent claims necessarily signifies that the MAC address or addresses assigned in the present invention are not necessarily unique.

Further, Chiang fails to disclose or suggest that a dynamically assigned MAC address is based on a type of service requested by the decoder. The pool of addresses allocated to the intermediate station for assignment to the end station in Chiang is not related to a *type of service*

requested by the decoder. In fact, Chiang does not even mention that the decoder is associated with either a multicast or unicast service type. Chiang only mentions that the capability exchange request issued from a workstation to a router can be directed or multicasted. If the capability exchange request is multicasted, then the request is sent to multiple routers, where the first router to respond is responsible for establishing a session with the workstation (*see* Chiang, col. 5, ll. 28-36). Furthermore, the directed or multicasted capability exchange request has nothing to do with the actual MAC address assigned to the decoder. That is, which MAC address is assigned to the decoder is not in any way dependent on whether the capability exchange request is directed or multicasted. However, this is completely distinct from having the decoder associated with a type of service that is a connected unicast service, a non-connected unicast service, or a multicast service. In fact, Chiang does not mention a unicast type of service at all.

In view of the above, it is clear that Gotwald and Chiang, whether considered separately or in combination, fail to render amended independent claims 1, 19, and 21 obvious. Dependent claims 2-7, 12, 17, 19, 22-25, 28, and 33 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 8-10, 13, 14, 26, 27, 29, and 30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gotwald in view of Chiang and further in view of U.S. Patent No. 6,459,427 (“Mao”). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

As described above, neither Gotwald nor Chiang disclose the limitations of amended independent claim 1. Further, Mao fails to supply that which Gotwald and Chiang lack, as evidenced by the fact that the Examiner relies on Mao solely for the purpose of disclosing an

address request message that includes an indication of whether the decoder wishes to receive messages in one of a unicast and a multicast mode (*see* Office Action mailed April 19, 2006, page 8). Thus, it is clear that amended independent claims 1 and 21 are patentable over Gotwald, Chiang, and Mao, whether considered separately or in combination. Dependent claims 8-10, 13, 14, 26, 27, 29, and 30 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Gotwald in view of Chiang and further in view of PCT/FI96/00640 (“Hakulinen”). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

As described above, neither Gotwald nor Chiang disclose the limitations of amended independent claim 1. Further, Hakulinen fails to supply that which Gotwald and Chiang lack, as evidenced by the fact that the Examiner relies on Hakulinen solely for the purpose of disclosing an address request message that includes a indication of whether the decoder will remain connected to receive data via a telecommunications network after the communication of the address request message (*see* Office Action mailed April 19, 2006, page 11). Thus, it is clear that amended independent claim 1 is patentable over Gotwald, Chiang, and Hakulinen, whether considered separately or in combination. Claim 11, which is dependent on claim 1, is patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 15 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gotwald in view of Chiang, and further in view of U.S. Patent No. 6,611,537 (“Edens”). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

As described above, both Gotwald and Chiang fail to disclose the limitations of amended independent claims 1 and 21. Further, Edens fails to supply that which Gotwald and Chiang lack, as evidenced by the fact that the Examiner relies on Edens solely for the purpose of disclosing a central transmission station that dynamically controls which transport packet stream amongst a plurality of transport packet streams is used to carry encapsulated packet data addressed for a decoder (*see* Office Action mailed April 19, 2006, page 12). Thus, it is clear that amended independent claims 1 and 21 are patentable over Gotwald, Chiang, and Edens, whether considered separately or in combination. Claims 15 and 31, which depend from amended independent claims 1 and 21, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 16 and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Gotwald and Chiang, and further in view of U.S. Patent No. 6,314,111 (“Nandikonda”). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

As described above, both Gotwald and Chiang fail to disclose the limitations of amended independent claims 1 and 21. Further, Nandikonda fails to supply that which Gotwald and Chiang lack, as evidenced by the fact that the Examiner relies on Nandikonda solely for the purpose of disclosing a central transmission station that dynamically controls which service amongst a plurality of services is used to broadcast encapsulated packet data addressed for a decoder (*see* Office Action mailed April 19, 2006, page 13). Thus, it is clear that amended independent claims 1 and 21 are patentable over Gotwald, Chiang, and Nandikonda, whether considered separately or in combination. Claims 16 and 32, which depend from amended

independent claims 1 and 21, are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 11345/035001).

Dated: July 19, 2006

Respectfully submitted,

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